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STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

July 22, 2011

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF No.: 110d-112

OAHU

Amend Prior Board Action of April 23, 1982, Item F-12, Request to Relocate Existing Easement and Immediate Construction Right-of-Entry, Wahiawa, Oahu, Hawaii, TMK:(1) 7-4-007:006 (Portion).

Background:

In 1982, City and County of Honolulu (City) requested Hawaiian Telephone Company (HTI) relocate its route for an existing overhead telephone lines to an underground line in order to accommodate the police helicopters at the police station site as shown on the map attached as **Exhibit 1**. At its meeting of April 23, 1982, under agenda item F-12, the Board approved the request. A copy of the 1982 approved submittal is attached as **Exhibit 2**.

The subject parcel has been set aside to the City under Governor's Executive Order (GEO) No. 3052 for police station purposes. In 2003, GEO 4030 was issued to the City for the Wahiawa Police Station and Satellite City Hall site purposes replacing GEO 3052 in view of the actual use of the subject State parcel.

Due to reasons unknown to the staff, the 1982 relocation request was never consummated. Staff became aware of this outstanding request recently and brings the request to this agenda recommending amendments of prior Board action for housekeeping purposes before finalizing the documents.

Proposed amendments

In the 1982 submittal, the applicant [HTI] and/or the City were required to comply with E.I.S. requirement (page 2 of Exhibit 1). Staff believes the request should be exempt from the preparation of an environmental assessment in accordance with Hawaii Administrative Rule Section 11-200-8(a) (3) (d) and (4). (**Exhibit 3**).

Staff also recommends the Board amend its prior action in 1982 by replacing all references to the Governor's Executive Order from 3052 to 4030 in view of the issuance of the most recent executive order.

Lastly, staff recommends the Board replacing the entire Recommendation Section in Exhibit 2 with the current version of recommendation section provided in this submittal below and change the applicant name to Hawaiian Telcom, Inc.

The now relocated easement will remain as a perpetual easement at gratis consideration, as noted in the 1982 approval. Staff did not solicit comments from other government agencies as the request is for housekeeping purposes only. Staff does not have any objection to the request.

RECOMMENDATION: That the Board amend its prior board action of April 23, 1982, item F-12 by replacing the entire Recommendation Section with the following:


- "1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Change the applicant name to Hawaiian Telcom, Inc.
3. Change all references to Governor's Executive Order No. 3052 to Governor's Executive order No. 4030.
4. Authorize the issuance of a perpetual non-exclusive easement to Hawaiian Telcom, Inc. covering the subject area for underground communication lines purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
  - B. Concurrence by the Governor and the City and County of Honolulu regarding the issuance of the subject easement over the subject land set aside under the Governor's Executive Order No. 4030;
  - C. Review and approval by the Department of the Attorney General; and
  - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State."

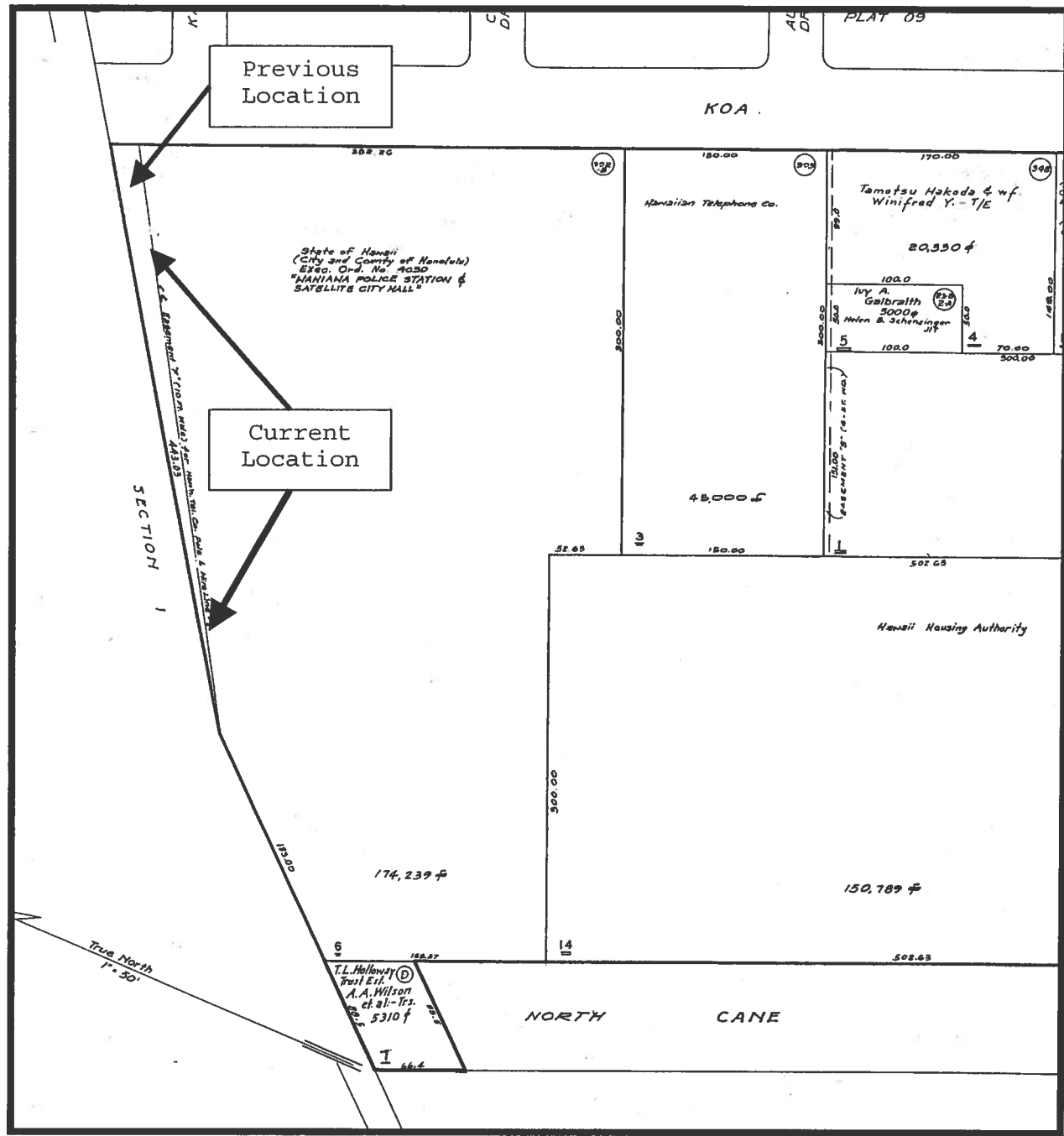
Respectfully Submitted,



Steve Lau  
Land Agent

APPROVED FOR SUBMITTAL:

  
William J. Aila, Jr., Chairperson



TMK (1) 7-4-007:006

**EXHIBIT 1**

GEORGE R. ARIYOSHI  
GOVERNOR OF HAWAII



STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF LAND MANAGEMENT  
P. O. BOX 621  
HONOLULU, HAWAII 96809

DIVISIONS:  
CONVEYANCES  
FISH AND GAME  
FORESTRY  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

April 23, 1982

Board of Land and  
Natural Resources  
Honolulu, Hawaii 96813

Gentlemen:

OAHU

Subject: Hawaiian Telephone Company Request to Relocate  
Existing Easement and Immediate Construction  
Right of Entry, Tax Map Key 7-4-07:Portion 6,  
Wahiawa, Oahu, Hawaii

STATUTE: Chapter 171, Hawaii Revised Statutes

APPLICANT: HAWAIIAN TELEPHONE COMPANY, at the Request  
of the City and County of Honolulu

FOR: Relocation of existing perpetual overhead  
easement to perpetual non-exclusive easement,  
ten (10) feet wide, for underground communication  
line, under and across the Wahiawa police station  
site, as shown outlined in red on the Tax Map  
labeled Land Board Exhibit "A", appended to  
the basic file.

AREA: To be determined by the applicant, same subject to  
confirmation by the Survey Division of the  
Department of Accounting and General Services

STATUS: Portion of the Wahiawa police station site under  
Governor's Executive Order No. 3052 to the City  
and County of Honolulu

LAND TITLE  
STATUS: Ceded land category by virtue of land exchange  
with Hawaii Housing Authority for various  
parcels most of it being ceded land. Title  
to land made subject to existing perpetual  
easement to Hawaiian Telephone Co. (subject  
of relocation)

ZONING: State Land Use Commission: Urban  
City and County of Honolulu  
C.Z.C. - I-1  
Gen. Plan - Industrial

PURPOSE: For construction, reconstruction use and  
maintenance of telephone line

April 23, 1982

CONSIDERATION: Gratis

E.I.S. REQUIREMENT: To be completed by applicant and/or  
City and County of Honolulu

REMARKS: In connection with its proposed Wahiawa police station project, it is necessary for Hawaiian Telephone Company to relocate its existing overhead telephone line to an underground line to accommodate the helicopters. The route of the line must be altered due to the terrain of the property.

By letter dated March 23, 1982 the City's Building Department indicated that they have no objections to the proposed project.

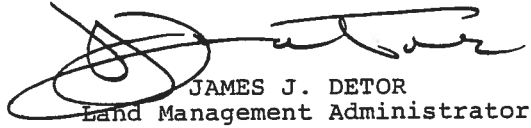
RECOMMENDATION: That the Board:

- A. Find that Hawaiian Telephone Company does not have any land of its own in the vicinity suitable for the use intended.
- B. Find that the easement area is of minimum size relative to the intended use and constitutes an economic unit.
- C. Authorize the direct granting of the subject easement to the applicant under the terms and conditions mentioned above, which are by this reference incorporated herein, in addition to the following:
  1. Disapproval of the Legislature at its next regular or special session.
  2. Standard indemnity and hold-harmless clause.
  3. Standard abandonment and relocation clause.
  4. Concurrence of the Governor.
  5. Allow the grantee to assign the easement to its bondholder.
  6. Such other terms and conditions as may be prescribed by the Chairman.
- D. Approve to grant Hawaiian Telephone Company a construction right of entry to the easement area for the relocation of the existing easement, subject to the following:
  1. Standard indemnity and hold-harmless clause.
  2. Concurrence of the Governor.

April 23, 1982

3. Coordinate the telephone relocation work with Wahiawa Builders, Inc., the construction contractor for the police station.
4. Such other terms and conditions as may be prescribed by the Chairman.

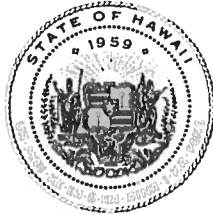
Respectfully submitted,

  
JAMES J. DETOR  
Land Management Administrator

APPROVED FOR SUBMITTAL:

  
SUSUMU ONO, Chairman

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**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

July 22, 2011

**WILLIAM J. AHLA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**GUY H. KAULUKUKUI**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIROOLAWA ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**EXEMPTION NOTIFICATION**

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Underground Communication Lines Easement

Project / Reference No.: PSF 110d-112

Project Location: Wahiawa, Oahu, Tax Map Key: (1) 7-4-007:006 portions

Project Description: Relocate an overhead communication line to underground

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(3)(d) and (4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3 (d), that states "Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to: water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and acquisition of utility easements." and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

The request pertains to relocation of an overhead communication line to underground in order to accommodate the police helicopters at the Wahiawa Police Station. Around 1982, the Board authorized the relocation of utility easement for the subject lines. Physical relocation work was completed. However, documentation was never follow-up. The subject request plans to document an


existing utility line and involve no major change of use or alteration of land, water or vegetation condition.

Consulted Parties

Not applicable

Recommendation:

That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

  
\_\_\_\_\_  
William J. Aila, Jr.  
Chairperson

  
\_\_\_\_\_  
Date